

DEDICATED USE MOORINGS IN THE WHITSUNDAYS SUMMARY OF PUBLIC COMMENTS REPORT

MARCH 2008



**GREAT BARRIER REEF MARINE PARK AUTHORITY
QUEENSLAND PARKS AND WILDLIFE**



Australian Government
Great Barrier Reef
Marine Park Authority



Queensland
Government
Environmental
Protection Agency

SUMMARY

The dedicated use moorings program provides a unique opportunity to develop partnerships, increase reef protection and provide additional mooring opportunities for all reef users in the Whitsunday region. In recent years, the tourism industry has expressed a strong need for additional moorings and operational certainty in the Whitsundays.

This report provides a summary of the 15 public comments received on the *Proposal on the Implementation of Dedicated Use Moorings in the Whitsundays*, which was available for public comment from September to December 2007. This report does not attempt to analyse the submissions or to outline recommendations for the final implementation model.

Submissions supported the dedicated use moorings concept and the need to expand the existing mooring program. A broad variety of views reflecting the difference in operating styles across the industry was received with respondents generally willing to contribute financially although, comments suggested that the cost of installation and maintenance could be further minimised through mooring type, a flat fee for scheduled and unscheduled maintenance, and evenly spreading installation and maintenance costs across the term of the agreement.

Interest was expressed in both the installation of new moorings and the conversion of existing moorings covering 21 locations, predominately in and around northern island locations. The majority of respondents did not however support the conversion of existing public moorings and suggested that dedicated use moorings should be primarily installed in locations that are presently devoid of public moorings instead of popular locations already serviced by public moorings.

Alternative models were proposed by three industry associations that explored alternative funding and management arrangements.

INTRODUCTION

The Whitsunday region is well known for its spectacular island scenery and fringing and offshore reefs, making it a popular destination for both recreational visitors and tourists. The Whitsunday islands are part of the Great Barrier Reef Marine Park and are managed by the Great Barrier Reef Marine Park Authority (GBRMPA) through the *Great Barrier Reef Marine Park Regulations 1983* and the Whitsundays Plan of Management (WPOM).

This region is one of the most important tourism destinations on the Queensland coast and accounts for over one-third of all visitors to the Great Barrier Reef. It is a world-class sailing destination that offers an exclusive range of accommodation, an amazing diversity of tourism experiences and a magnificent environment.

Protection of the values of this outstanding tourism destination, particularly the delicate reef environment, is fundamental to the long-term sustainability of the local tourism industry and is achieved through various management arrangements including Zoning, Setting Areas, permits and No Anchoring Areas.

The GBRMPA and the Queensland Parks and Wildlife (QPW) maintain a Reef Protection Program, which includes a network of 85 public moorings and 43 reef protection markers throughout the Whitsunday Planning Area. The Reef Protection Program protects environmentally sensitive sites and facilitates safe and reliable access for vessels, recreational visitors and tourists.

Currently the WPOM allows the installation of private moorings in Setting 1 areas only, which are usually adjacent to resorts.

The dedicated use moorings initiative has a number of goals:

- To increase reef protection by preventing anchor damage
- To enhance the Reef Protection Program in the Whitsunday region
- To provide for additional sustainable and safe access in popular sites
- To facilitate increased operational certainty for tourism operators
- To trial a public-private partnership in the Marine Park (Private Investment in Public Infrastructure)
- To involve the community in Marine Park management and protection.

BACKGROUND

In 2005, the GBRMPA held mooring workshops with industry stakeholders in Airlie Beach, Whitsundays. During these workshops, a strong need for additional moorings in the Whitsundays was expressed by the Marine Park tourism industry.

Consequently the GBRMPA was asked to explore options for additional moorings while providing for operational certainty. The concept of ‘dedicated use moorings’ was put forward, and was discussed at the Tourism and Recreation Reef Advisory Committee (TRRAC) in 2005. The TRRAC supported the concept, and subsequently the GBRMPA investigated the feasibility of a dedicated use moorings program.

A Registration of Interest (ROI) phase was conducted to gauge interest amongst the industry in January-March 2006. Feedback from the ROI along with other information from site inspections, cost estimates from contractors and legal advice was used to develop implementation options. In September 2006, the TRRAC provided advice on the implementation options.

From January to August 2007, the GBRMPA further explored options and developed the *Proposal for Public Comment on Dedicated Use Moorings in the Whitsundays*, which was released for public comment from September to December 2007.

Submissions were received from 15 individuals, tourism operators and industry associations. This report summarises these comments and is for information only. It does not attempt to analyse the submissions or to outline recommendations for the final implementation model.

ESSENTIAL ADMINISTRATION ARRANGEMENTS

A range of implementation aspects has been agreed during previous phases of the dedicated use moorings initiative. Fundamental management or administrative arrangements are the following:

- The dedicated use moorings initiative must achieve an overall net gain of public access to moorings throughout the Whitsunday Planning Area.
- New moorings installed under the dedicated use moorings program will be added to the Queensland Asset Register. Existing moorings will also remain on the Register.
- The GBRMPA and QPW (the managing agencies') insurance will cover public liability of dedicated use moorings, as they will be listed on the Queensland Asset Register.
- Dedicated use moorings will have to meet minimum design and maintenance standards.
- The adoption of implementation Models 1 and 2 (as described in *A Proposal for Public Comment on Dedicated Use Moorings in the Whitsundays, September 2007*). These models require operators to:
 - fund the installation and maintenance of **new** moorings at designated sites
 - fund the maintenance of **existing** public moorings converted to dedicated use moorings at designated sites.
- A licence agreement between the proponent and the managing agencies will be the type of agreement used for dedicated use moorings.
- The allocation process will be done through an Expressions of Interest process.
- An external contractor will undertake the installation of dedicated use moorings.
- The proponent of a dedicated use mooring will not be exempt from his/her permit requirements and setting limits regarding access to that location.

SUMMARY OF COMMENTS

Comment was specifically sought on the following aspects of the dedicated use moorings proposal:

- Locations
- Access times
- Mooring maintenance
- Mooring installation
- Costs
- Payment arrangements
- Licence agreement period
- Compliance
- Allocation criteria.

Comment were also received on mooring classes, shared use of dedicated use moorings and using moorings to control overcrowding and alternative models.

Locations

Comments received suggested a large variety of sites for dedicated use moorings in the Whitsundays. Some sites attracted interests from multiple submissions, reflecting the use level and demand at popular locations.

A map showing locations requested during the public comment phase is downloadable from GBRMPA's website www.gbrmpa.gov.au in the [moorings page](#).

Table 1. Locations nominated in public comments

Location	No. of requests	Public moorings on site already
Blue Pearl Bay – Hayman Island	5	✓
Bait Reef	4	✓
Luncheon Bay – Hook Island	4	✓
Mantaray Bay – Hook Island	4	✓
Black Island	3	✓
Langford Reef	3	✓
Maureen's Cove – Hook Island	3	✓
Butterfly Bay – Hook Island	2	✓
Chalkies Bay – Haslewood Island	2	
Chance Bay – Whitsunday Island	2	
Mackerel Bay – Hook Island	2	
Refuge Bay (Nara Inlet) – Hook Island	2	
Saba Bay – Hook Island	2	
South Whitehaven Beach – Whitsunday Island	2	
Waite Bay (White) – Haslewood Island	2	
Cateran Bay – Border Island	1	✓
Dumbell Island	1	✓
Pitstop – Border Island	1	
South Stonehaven Bay – Hook Island	1	✓
Tongue Bay – Whitsunday Island	1	✓
Turtle Bay – Whitsunday Island	1	

The majority of respondents expressed concerns about the conversion of existing public moorings to dedicated use moorings, particularly in popular locations, namely Blue Pearl Bay, Black Island, Langford Reef, Luncheon Bay and Butterfly Bay. Respondents preferred that only new moorings should be installed as part of this initiative, if possible in sites where public moorings are not present.

A respondent expressed concerns that any dedicated use moorings installed at sites that currently provide safe anchorages would amount to a removal of that site as a safe public anchorage.

Concerns were also raised on the potential impact to the iconic vista of Whitehaven Beach and Hill Inlet from Tongue Point should moorings be installed near these locations.

Access times

The submissions made in relation to times for dedicated use moorings were diverse and dependent on individual business itineraries and individual schedules. The range of requested access times included:

- whole day access (9am to 4pm)
- overnight access (4pm to 10am)
- part-day access (9am to 1pm; 10.30am to 12.30pm; 1pm to 4pm; 1.45pm to 4.15pm)
- 24 hour access.

Most operators requested 365-day access to the dedicated use mooring. A number of comments suggested that access to moorings should be on an *ad hoc* basis or first come first served, as is presently the case with public moorings citing weather, tide, trip scheduling and rostering as factors.

It was also suggested there be a general rule of all moorings to be vacated by midday, instead of specific time periods. This general rule would apply to all public moorings, and replace the current two-hour time limit.

Scheduled maintenance

Scheduled maintenance covers mandatory inspections and scheduled replacement required under QPW standards to meet State and Commonwealth government insurance requirements.

Most operators indicated that the price of scheduled maintenance was too high. It was suggested that quarterly inspections be replaced by biannual inspections or even annual inspections.

A number of comments suggested that dedicated use moorings could be self-maintained, while two comments proposed to introduce a levy on the commercial and recreational fleet that would be put towards maintenance of public moorings.

Unscheduled maintenance

Unscheduled maintenance includes any repairs required outside scheduled periods that may result from adverse weather conditions, accidental damage or tackle failure.

A large majority of respondents agreed that it would be preferable to include the cost of unscheduled maintenance (repairs required outside scheduled periods) in the general cost of dedicated use moorings, rather than paying for unscheduled repairs as proposed in the submission document.

A minority of comments suggested that the cost of unscheduled maintenance should be borne by the managing agencies (GBRMPA & QPW).

One comment specified that there could be a pro-rata deduction of fees for any period that the mooring is not operational.

Finally, an industry group suggested that an agreed portion of the cost of unscheduled maintenance be passed on to tourism operators as a Marine Park mooring levy, collected in the same way as the GBRMPA Environmental Management Charge.

Mooring type

Cost estimates on mooring types quoted in the proposal document were provided by four commercial mooring contractors, and based on a minimum of ten moorings installed.

The majority of respondents that indicated a preference for mooring type preferred block moorings rather than screw moorings, based on cost and substrate, e.g. block mooring on sand or mud.

One respondent advised they were ready to cover the installation cost of a screw mooring, providing reasonable prices were agreed prior to the installation.

Two comments indicated that the installation cost quoted in the proposal was “out of proportion”.

Cost

All respondents indicated they were ready to contribute financially to dedicated use moorings. Four comments out of 15 stated they were ready to pay the amounts quoted as estimated in the proposal (table 2).

The majority of respondents agreed to cover the installation cost of moorings, providing it was averaged across the initial licence agreement period. This would lead to consistent and reliable annual costs for business planning purposes.

Table 2. Cost estimates quoted in the *Proposal for Public Comment on Dedicated Use Moorings in the Whitsundays*

Installation costs

Mooring type	Quantity	Cost estimates (\$/mooring)*
Screw mooring	10	9000 – 15 000
Concrete block mooring	10	6500 – 9100

* based on the installation of 10 dedicated use moorings

Maintenance costs

Inspection period	Cost estimates (\$/mooring)*
Three month inspection	2900 –5500 + components (annual cost)
Three yearly cycle	1870 + components

* based on the maintenance of 10 dedicated use moorings

An industry group suggested the cost of installation and maintenance of dedicated use moorings should be shared between the managing agencies, the tourism industry, recreational users and marina developers. The introduction of an ‘infrastructure levy’ for all tourism operators was suggested, which would be linked to the number of passengers or to vessel length.

While most respondents agreed in principle with an annual or quarterly fee for a dedicated use mooring, one respondent stated they would only consider paying a fee per hour. Table 3 summarises the proposed costs respondents were willing to pay for installation and maintenance.

Table 3. Comments on cost estimates

Cost component	Amount	Other comment
Installation	From nil to as quoted in cost estimates. <ul style="list-style-type: none"> o \$6500 - \$9100 for a block mooring. o \$9000 - \$15 000 for a screw mooring. 	<ul style="list-style-type: none"> o Most respondents are willing to pay for the cost of a block mooring only. o Any payment towards screw moorings should be done through a prior agreement on costs.
Scheduled maintenance	From nil to \$1000 per annum to as quoted in cost estimates. <ul style="list-style-type: none"> o \$2900-\$5500 + components for three month inspections. o \$1870 + components for 3 yearly cycle. 	<ul style="list-style-type: none"> o Most respondents are reluctant to cover the full cost of scheduled maintenance. o Suggestion that a tourism association administers mooring maintenance funds in conjunction with managing agencies.
Unscheduled maintenance	Nil to as required.	<ul style="list-style-type: none"> o Included in annual cost/ hourly rate of use. o Should be the responsibility of managing agencies (included in GBRMPA’s insurance cover).
Overall contribution	From \$3000/year to \$5000/year to as quoted. \$50 per 24 hour for mooring access (user pay basis).	<ul style="list-style-type: none"> o A contribution from the managing agencies would be appropriate. o Funding could be sourced via a levy on commercial and recreational fleet (included in registration fee). o Marina developers should contribute towards mooring infrastructure in a radius from the development site.

Payment arrangements

There is a near consensus amongst respondents on the appropriateness of averaging the cost of dedicated use moorings across the initial licence agreement period.

Table 4 summarises the comments on payment arrangements.

Table 4. Comments on payment arrangements

Payment arrangement	Subsets			Occurrence			
Options	Upfront fee paid in the 1st year	Averaged across term	No opinion	Annual	Quarterly	No opinion	Other
No of respondents	1	8	6	3	3	7	2

* 'Other' included a suggestion to pay per 24 hour of use (strictly user-pay basis)

Licence agreement period

The implementation report proposed that a trial period of three years was necessary to allow sufficient time for installation of new moorings and implementation of licensing, financial and compliance arrangements. However, the public consultations revealed strong support for a five-year initial period for the licence agreement, to assist operators recover their costs. The table below summarises the various suggestions.

Table 5. Comments on licence agreement period

	Licence agreement			
Options	3 years	5 years	Other	N#A
No of respondents	4	4	2	5

The majority of respondents emphasised the need for a renewable or a transferable licence option, providing them with added certainty for business cost recovery purposes. The implementation proposal currently suggests that proponents who are already part of the initiative would be given first right for renewal at the end of the initial licence period.

Other suggestions included:

- licence agreements should be tailored to the length of the permit
- the initial period for licence agreements should be extended to 15 years for high standard operators
- licence renewals should be subject to a compliance review.

Compliance

Suggestions related to compliance matters were the following:

- Prosecution for misuse of public moorings should be stricter

- Penalty points for misusing a dedicated use mooring should be substantial, so that it acts as a proper deterrent for likely offenders
- Dedicated use moorings should be patrolled on a regular basis
- A comprehensive, powerful reporting system should be used to notify a person found guilty of an offence (such as *Eyes and Ears*).

Four respondents suggested that the current level of mooring compliance was unsatisfactory. It was stated that problems have occurred in enforcing the two-hour timeslot arrangement for public moorings, resulting in the emerging problem of 'mooring rage'.

One comment suggested arrangements for a dedicated use mooring program would add to the complexity of monitoring and compliance work.

A respondent suggested that a local organisation could be appointed to monitor compliance issues in the Whitsunday region. This organisation would receive reports of mooring infringements and radio non-compliant vessels such as bareboats to vacate a mooring. Failure to vacate would result in lodgement of an Eyes and Ears report, possibly corroborated by a witness vessel. The managing agencies would then conduct an investigation, which may result in the issuance of an infringement notice.

Allocation criteria

The Expression of Interest process aims to provide a fair selection process for allocation of dedicated use moorings. Three of the 15 submissions suggested allocation criteria for the Expression of Interest process.

Suggestions were the following:

- Participation in the High Standard program/eco-certification
- Operational history (e.g. permit history, latency, reasonable use)
- Demonstrated financial support of GBRMPA and its programs
- Funding of additional public moorings
- Monitoring of assigned bays including reef protection, dinghy safety, cigarette butts on beach cleaned up and maintained by operator
- Reef protection such as public education, monitoring of illegal anchoring via onboard cameras, crown-of-thorns starfish (COTS) removal, anchor removal from seabed
- Diver/snorkeller safety back-up such as extra oxygen bottles onboard, emergency transport, first aid equipment, diver rescue on site if needed
- Monitoring of existing navigation or mooring infrastructure including mooring damage, channel marker damage
- Research information such as COTS, stingers and trends in visitor use.

Additional comments

In addition to commenting on the main implementation aspects of the dedicated use moorings proposal respondents provided additional comments on:

- Mooring class
- Share of dedicated use moorings
- Management of visitor use and crowding.

Mooring class

A number of comments included recommendations on the management of types of moorings. Currently each public mooring carries a colour-coded band, which reflects the class of public mooring. Each mooring class (T, A, B, C and D) has specific limits and conditions of use, typically related to maximum vessel length and wind speed.

Table 6. Public mooring classes (as of July 2001)

Colour-coded band	Class of mooring	Maximum wind strength	Maximum length (monohulls)	Maximum length (multihulls)
Brown	Tender	24 knots	6 metres	6 metres
Yellow	Class A	24 knots	10 metres	9 metres
Orange	Class B	34 knots	20 metres	18 metres
Blue	Class C	34 knots	25 metres	22 metres
Red	Class D	34 knots	35 metres	30 metres

Comments on mooring class were mostly tailored to the type of operation run by the respondent and adapted to their needs. Suggestions included that:

- all dedicated use moorings should be at least B class moorings, to allow a broader range of recreational users to use the mooring, and to avoid the use of A class moorings by tenders and dinghies
- all A and B moorings be reserved for bareboats, while T, C and D moorings be reserved for crewed/commercial vessels. Different buoy colours would allow identifying these two types of moorings (e.g. blue for bareboats, iridescent for commercial boats)
- limits for T and A class moorings be changed to 12 metres maximum for overall length + 0.7 metres maximum draft.

Sharing dedicated use moorings

Four respondents suggested that operators should be able to share a dedicated use mooring, which would lead to a reduction of buy-in and maintenance costs. One respondent specified that each mooring ‘shareholder’ should have a maximum of

two to two and a half hour access to the mooring each day, to allow for sufficient public access time.

Management of visitor use/overcrowding

Around one third of the respondents highlighted concerns of overcrowding and visitor use management. Suggestions to resolve overcrowding included that:

- visitor numbers be managed in popular locations (high use sites) to allow for a “more intimate and personal experience”
- activities such as ‘rendez-vous’ diving be managed in popular locations to avoid overuse and crowding of a site
- popular sites with significant coral cover be declared no anchoring areas. This would be paralleled with the installation of additional moorings in these locations to meet demand
- the site allocation process takes into account factors such as site overcrowding, usage distribution across sites and regional weather conditions
- dedicated use moorings are available for public use whenever it is not in use by the licensee (e.g. if the latter is ‘off the run’).

Alternative models

Whilst there was a consensus on the need to expand the existing mooring program it was considered that the dedicated use moorings program proposal would only deliver a limited number of moorings and not meet the increasing demand for moorings due to population growth, coastal development and marina developments in Shute Harbour and Muddy Bay.

Consequently, the three main Whitsunday Marine Park tourism industry associations proposed alternative models to provide for additional public moorings in the Whitsundays. Below are summaries of the three alternative models proposed.

Creation of a non-profit entity

The three associations recommended an existing association or new non-profit entity be established by industry, with government representation, to secure and source funding to provide for additional public moorings. Two proposals suggested that a Board should manage the entity.

One comment suggested that the entity’s role would be limited to administering mooring funds, while two other comments suggested that the entity would install and maintain new moorings in the WPOM via a subcontractor. One of these two proposals offered to “monitor, manage and maintain moorings in the Whitsunday Planning Area”.

Levy/Fee collection

All three comments recommended the implementation of a mooring fee or levy that would go towards installation and maintenance of new moorings in the Whitsunday Planning Area. One association suggested a mechanism to collect a maintenance fee from all bareboats, which would be managed similarly to the Environmental Management Charge (EMC). Other suggestions included:

- an infrastructure levy for commercial users, proportional to the number of passengers or the size of vessel
- an infrastructure levy on vessel registrations for recreational users.

In both cases it was recommended that these levies be administered by the GBRMPA and the funds collected should provide for ongoing maintenance.

Funding sources

In addition to the suggested mooring fee or levy, the three associations outlined further fundraising strategies.

One industry group suggested that funding would be sourced from local council, Commonwealth and State funds. Two other groups concurred that the three associations would work with the Whitsunday Development Corporation to secure external funding.

These two comments added that, once initial funding has been sourced, the non-profit entity would move towards semi self-funding arrangements provided by the mooring levy. The alternative models indicated that the local government would be approached for ongoing financial contribution, and the entity would continue to pursue other funding opportunities from the public and private sectors to maintain acceptable ongoing expansion of the mooring program.

Timeslots for new moorings

All three alternative models indicated that the options outlined in the proposal did not suit either the crewed vessel industry or the bareboat industry, due to the variety of operation styles and products. A 'one rule fits all' scenario was proposed as an alternative (e.g. all moorings to be vacated by midday).

Day-to-Day Management involvement

One comment requested that the GBRMPA's Day-to-Day Management Unit would at least maintain its current level of funding to manage existing public moorings.

CONCLUSION

Public comments received reflect a high variety of expectations, and particularly a difference of expectations between the crewed vessel industry and the bareboat industry. The final model will be based on a need for equitable use of the Marine Park for both industry and public benefit.

The final decisions for the dedicated use moorings implementation model will take into account the submissions and stakeholder perspectives together with a range of management consideration factors:

- Legal aspects (Commonwealth and State regulatory requirements)
- Liability
- Financial constraints for managing agencies
- Physical or practical feasibility
- Current state of knowledge and field of expertise
- Administration burden and management practicality
- Complexity and public legibility
- Suitability to local conditions
- Likelihood of operator willingness to enforce/adopt
- Flexibility.

NEXT STEPS

Comments received will now be used to finalise the implementation options. A final implementation model including locations will be decided upon by the GBRMPA and prior to implementation, the final model will be presented to industry and community.

All dedicated use mooring opportunities will be offered through an Expressions of Interest process.

More information

Updates on the progress of this initiative will be provided by email. If you wish to be included in the mailing list, please provide your details to Anne Caillaud, Project Officer at anne.caillaud@gbrmpa.gov.au.

Any information, updates and documents related to dedicated use moorings will be available on GBRMPA's external website www.gbrmpa.gov.au.